

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN

OWEN W. BARNABY,

Plaintiff,

v.

BRET WITKOWSKI, et al.,

Defendants.

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Hon Janet T. Neff.

Case No. 1:14-cv-01279

REPORT AND RECOMMENDATION

Because defendants have not yet been properly served with the summonses and complaint in this matter, the undersigned recommends that plaintiff's motions for default against defendants Berrien County and Bret Witkowski (Dkt. Nos. 9 and 11 respectively) be denied.

Date: April 1, 2015

/s/ Ellen S. Carmody  
ELLEN S. CARMODY  
U.S. Magistrate Judge

OBJECTIONS to this Report and Recommendation must be filed with the Clerk of Court within 14 days of the date of service of this notice. 28 U.S.C. § 636(b)(1)(C). Failure to file objections within the specified time waives the right to appeal the District Court's order. *Thomas v. Arn*, 474 U.S. 140, 155 (1985); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).